

**MINUTES**  
**VILLAGE OF LAKE PARK COUNCIL MEETING**  
**3801 LAKE PARK ROAD, LAKE PARK, NC**  
**REGULAR SESSION**  
**7:00 P.M.      NOVEMBER 10, 2009**

**ATTENDING:** Mayor Kendall Spence  
Mayor Pro-Tem: Sandy Coughlin  
Council Members: Virginia Currence, Jo Waybright, Clint Newton, Greg Crosby  
Finance Officer – Cheryl Bennett  
Village Clerk/Tax Collector – Cheri Clark  
Attorney Ken Swain

**CALL TO ORDER:** Mayor Kendall Spence called the Regular Session of the Village of Lake Park Council to order.

**PLEDGE OF ALLEGIANCE:** Mayor Kendall Spence led the Pledge of Allegiance to the Flag of the United States of America.

**APPROVAL OF MINUTES:** October minutes are not available for approval. Jo Waybright made the motion to approve the September 8, 2009 regular session minutes. Virginia Currence seconded the motion. Vote – Unanimous.

**PUBLIC COMMENT:**

Ed George requested that the Council not approve brown bagging in Lake Park. We are living in a time that we should not be encouraging everyone to drink.

Dr. Reid Keiger asked Council to not approve brown bagging. Dr. Keiger is trying to work with the Moser Group to bring a family restaurant to Lake Park.

Francine Fritz does not want to see a liquor license in the VOLP. She does not see a problem with parking spaces or a fenced in area. Ms. Fritz does not understand why Fireside Coffee has not opened and then address the issues.

Dave Cleveland congratulated Mayor Kendall Spence and Sandy Coughlin on their re-election. Mr. Cleveland invited everyone to the Garden Club Home Tour.

Jim Miller wanted to know who owns the fence between the Village One Homes and Mayhurst – between Lake Park Road and Faith Church Road. – known as Joshua Alley. The fence is 207 feet long and is in need of repair. Mr. Miller is willing to work with whomever to enhance the fence. A brick fence would run somewhere in the neighborhood of \$20,000. Mr. Miller would like to see Fireside Coffee reopen and beer and wine to become available in the Village of Lake Park.

Natasha Parker thanked everyone for sharing their opinion. She has done some research on the covenants and right now the Town Center Association only has two members – Michael Konarzewski and his wife. Natasha does not feel that the town has communicated with them.

**CHANGES TO THE AGENDA:** N/A

**SECURITY:** Deputy Clough shared that there have been 221 total calls for the month of October. The call volume includes 12 Business Checks, 19 Residential Checks, 22 Improperly Parked vehicles, 6 Bike Patrols, 12 traffic stops, 4 Burglary Vehicle, 6 Juvenile Complaints, 5 Property Damage Vandalism Mischief, 3 Trespassing , 42 Preventative Patrols and 5 alarm calls. Sixty nine calls were citizen initiated and 152 calls were officers initiated between October 1<sup>st</sup> and October 31, 2009. In the same time period, the Town of Indian Trail experienced 2,287 calls. Overall crime in Lake Park is down.

Halloween went well and the VOLP did not have any incidents. Jo Waybright commended the deputies on how well Halloween was handled in Lake Park.

Our thoughts and prayers are with Deputy Haywood and his family over the loss of his father.

**FINANCE OFFICER'S MONTHLY REPORT:** Cheryl Bennett reported that property tax revenue is coming in and that currently there will be about a \$20,000 shortfall in sales tax if it stays at the current rate. The audits will be available next month for your review.

	<u>Oct 09</u>	<u>Jul - Oct 09</u>	<u>Budget</u>	<u>% of Budget</u>
<b>General Fund</b>				
<b>Revenues</b>				
<b>Other revenues</b>				
Approp. Fund Balance	0.00	0.00	79,098.00	0.0%
Civil Penalties	70.00	1,150.00	400.00	287.5%
Investment revenue	8,677.36	9,022.83	12,000.00	75.19%
Miscellaneous	<u>602.38</u>	<u>627.38</u>	<u>545.00</u>	<u>115.12%</u>
<b>Total Other revenues</b>	9,349.74	10,800.21	92,043.00	11.73%
<b>Other Taxes</b>				
Stormwater Fees	1,240.00	5,170.00	38,000.00	13.61%
Cable franchise-from Time Warne	<u>0.00</u>	<u>0.00</u>	<u>3,000.00</u>	<u>0.0%</u>
<b>Total Other Taxes</b>	1,240.00	5,170.00	41,000.00	12.61%
<b>Parks &amp; Recreation Revenue</b>				
Recreation Program Fees	4.00	1,132.87	1,000.00	113.29%
Community Center rental	225.00	740.00	2,800.00	26.43%
Gazebo rental	0.00	30.00	100.00	30.0%
Recreation daily swim fees	0.00	2,878.20	6,200.00	46.42%
Recreation season pass fees	<u>0.00</u>	<u>1,683.00</u>	<u>50,000.00</u>	<u>3.37%</u>
<b>Total Parks &amp; Recreation Revenue</b>	229.00	6,464.07	60,100.00	10.76%
<b>Property Taxes</b>				
Ad valorem current year	14,370.15	58,852.18	521,196.00	11.29%
Ad valorem prior years	245.85	907.85	4,600.00	19.74%
Motor vehicle tax	4,560.90	13,634.34	53,171.00	25.64%
Penalties and interest	199.08	437.81	1,344.00	32.58%
Utility ad valorem	<u>0.00</u>	<u>0.00</u>	<u>5,478.00</u>	<u>0.0%</u>
<b>Total Property Taxes</b>	19,375.98	73,832.18	585,789.00	12.6%

<b>State Shared Revenues</b>				
Solid Waste Disposal Tax	0.00	526.63	1,500.00	35.11%
Telecom. Franchise	0.00	395.00	1,800.00	21.94%
Piped Gas	0.00	309.00	5,000.00	6.18%
Elec. franchise tax	0.00	631.77	60,000.00	1.05%
Cable Rev. (from State)	0.00	284.00	22,000.00	1.29%
Sales and use tax	<u>10,102.67</u>	<u>7,610.77</u>	<u>140,000.00</u>	<u>5.44%</u>
<b>Total State Shared Revenues</b>	<u>10,102.67</u>	<u>9,757.17</u>	<u>230,300.00</u>	<u>4.24%</u>
<b>Total Revenues</b>	40,297.39	106,023.63	1,009,232.00	10.51%
<b>Expense</b>				
<b>Capital Outlay</b>				
Capital Outlay Exp.	0.00	0.00	10,000.00	0.0%
Reserve for Capital Replacement	<u>0.00</u>	<u>0.00</u>	<u>10,000.00</u>	<u>0.0%</u>
<b>Total Capital Outlay</b>	0.00	0.00	20,000.00	0.0%
<b>General Administrative Expenses</b>				
Adm Assistant	0.00	122.00	500.00	24.4%
Clerk/Tax Collector	3,675.00	14,700.00	44,100.00	33.33%
Council	0.00	2,750.00	11,000.00	25.0%
Finance Officer	883.33	3,533.32	10,600.00	33.33%
Mayor	0.00	750.00	3,000.00	25.0%
Payroll Expenses	<u>348.71</u>	<u>1,692.62</u>	<u>5,536.00</u>	<u>30.58%</u>
<b>Total General Administrative Expenses</b>	4,907.04	23,547.94	74,736.00	31.51%
<b>Maintenance of Common Areas</b>				
Landscaping	10,800.00	43,445.00	165,000.00	26.33%
Park maintenance	5,737.89	11,337.98	29,000.00	39.1%
Pond maintenance	<u>0.00</u>	<u>0.00</u>	<u>10,000.00</u>	<u>0.0%</u>
<b>Total Maintenance of Common Areas</b>	16,537.89	54,782.98	204,000.00	26.85%
<b>Operating Costs</b>				
Advertising	0.00	95.15	300.00	31.72%
Association dues	0.00	3,000.00	3,000.00	100.0%
Bank charges	0.00	0.00	20.00	0.0%
Elections	0.00	0.00	3,700.00	0.0%
Insurance/bonds	0.00	6,721.34	9,400.00	71.5%
Miscellaneous oper. exp.	0.00	48.50	800.00	6.06%
Newsletter/website/flyers	407.90	848.91	2,600.00	32.65%
Office	507.44	1,104.30	3,400.00	32.48%
Postage	42.01	62.22	600.00	10.37%

Tax collection	69.79	911.86	1,600.00	56.99%
Telephone	198.87	947.80	2,980.00	31.81%
Training	100.00	173.44	1,200.00	14.45%
Travel	<u>0.00</u>	<u>209.85</u>	<u>500.00</u>	<u>41.97%</u>
<b>Total Operating Costs</b>	<b>1,326.01</b>	<b>14,123.37</b>	<b>30,100.00</b>	<b>46.92%</b>
<b>Other Expenditures</b>				
Economic Development	0.00	128.81	2,000.00	6.44%
Contingency	0.00	0.00	20,000.00	0.0%
Stormwater Expense	<u>905.45</u>	<u>3,714.84</u>	<u>38,000.00</u>	<u>9.78%</u>
<b>Total Other Expenditures</b>	<b>905.45</b>	<b>3,843.65</b>	<b>60,000.00</b>	<b>6.41%</b>
<b>Parks &amp; Recreation</b>				
Pool Operations	118.97	118.97	1,600.00	7.44%
Comm. center maintenance	317.94	1,763.93	8,800.00	20.05%
Seasonal Decorations	1,500.00	1,500.00	10,000.00	15.0%
Natural Gas	34.63	145.40	1,200.00	12.12%
Pool maintenance	570.00	1,134.94	9,500.00	11.95%
Pool management fee	0.00	12,240.00	46,880.00	26.11%
Events/Recreation programs	0.00	835.82	1,800.00	46.43%
Storage Rental	0.00	1,308.00	1,300.00	100.62%
Water/Sewer	<u>454.55</u>	<u>1,827.02</u>	<u>2,200.00</u>	<u>83.05%</u>
<b>Total Parks &amp; Recreation</b>	<b>2,996.09</b>	<b>20,874.08</b>	<b>83,280.00</b>	<b>25.07%</b>
<b>Professional Fees</b>				
Accountant	0.00	0.00	4,400.00	0.0%
Legal Counsel	<u>2,782.58</u>	<u>2,782.58</u>	<u>10,000.00</u>	<u>27.83%</u>
<b>Total Professional Fees</b>	<b>2,782.58</b>	<b>2,782.58</b>	<b>14,400.00</b>	<b>19.32%</b>
<b>Public Services/Safety</b>				
Street Signs	344.90	434.90	2,500.00	17.4%
Garbage collection	21,448.41	64,299.66	273,000.00	23.55%
Law enforcement	0.00	33,798.50	150,216.00	22.5%
Street Lights	<u>7,900.73</u>	<u>32,882.44</u>	<u>97,000.00</u>	<u>33.9%</u>
<b>Total Public Services/Safety</b>	<b>29,694.04</b>	<b>131,415.50</b>	<b>522,716.00</b>	<b>25.14%</b>
<b>Total Expense</b>	<b>59,149.10</b>	<b>251,370.10</b>	<b>1,009,232.00</b>	<b>24.91%</b>
<b>Excess of Exp. Over Rev.</b>	<b>18,851.71</b>	<b>145,346.47</b>	<b>0.00</b>	<b>100.0%</b>
<b>Powell Bill</b>				
Interest - Powell Funds	0.00	67.55	500.00	13.51%
Powell Bill Revenue	<u>87,427.96</u>	<u>87,427.96</u>	<u>85,000.00</u>	<u>102.86%</u>
<b>Total Powell Bill Income</b>	<b>87,427.96</b>	<b>87,495.51</b>	<b>85,500.00</b>	<b>102.33%</b>
<b>Other Expense</b>				

Bank Exp. - Powell checks	0.00	41.98		
Street Exp. - Powell Bill	60.00	96,125.02	85,500.00	112.43%
Total Powell Bill Expense	60.00	96,167.00	85,500.00	112.48%
Net Powell Bill	87,367.96	-8,671.49	0.00	100.0%
		-		
Excess of Exp. Over Rev.	68,516.25	154,017.96	0.00	100.0%

**PUBLIC SERVICES (WASTE & ELECTRIC):** Sandy Coughlin has been asked when the VOLP will provide commercial recycling. At this time, it is extremely unlikely that the VOLP would be able to provide this service however we can certainly add this to our RFP.

Clint Newton has a new Street Light Cost Matrix. The globe cover in the Garden District has been on order for 3 months.

**UNION COUNTY GOVERNANCE COMMITTEE:** Sandy Coughlin stated the committee is probably going to suggest that we have seven members with a combination of district and at-large representation.

**COMMUNICATION:** Greg Crosby requested that articles for the next Villager need to be submitted by November 13th. Topics to be included are disposal of used equipment, EDC Business Fair, Christmas lighting, chili cook-off and waste collection schedule for the holidays.

**PARK AND RECREATION BUSINESS:** Virginia Currence stated that Parks and Rec has two new members Royetta Sieminski and David Grant.

The Lake Charles grading project is complete and Parks and Rec is now ready to address landscaping for the project. We have found three houses that have encroached upon village property with their fences.

Two refurbished benches have been placed at Veterans Pond.

The graffiti is being addressed in the common areas.

There were five dead trees on Lake Park Road that had to be removed due to safety concerns. Virginia Currence made the motion that we approve \$1,425 to remove the dead trees on Lake Park Road. Sandy Coughlin seconded the motion. Vote – Unanimous.

Landscaping in the VOLP is beginning to look real good.

Jo Waybright thanked everyone who came out and support the Chili Cook-off. Three of the winners were first time competitor. First Place – John Barnes, Second Place Tie – David Grant and Doyle Waybright and Third Place – Royetta Sieminski.

We have an electrical problem at the clock tower. Jo Waybright made the motion that Council approve \$600 for the repair and replacement of all of the receptacles at the clock tower. Clint Newton seconded the motion. Under discussion, the electrician has recommended that we have the landscaper stop putting pine needles around the outlets. Vote – Unanimous.

For years we have not rented the Community Center for – profit to individuals or groups. Recently we have had a number of requests for us to allow the rental due to parking issues and site availability. Parks and Rec would like to recommend changing the policy to allow for profit rentals once a month. Jo Waybright made the motion that we amend the Park and Recreation Policy Guide. Clint Newton seconded the motion. Vote – Unanimous.

Janet Fowler, a Lake Park resident, has come to Parks and Rec wanting to help us start a swim team. Janet Fowler and John Barnes are working together researching the cost and feasibility of a swim team.

The Christmas lights and banners are being installed.

**STORMWATER:** The storm drain repair between Vonda and Alden has been completed. We have received our annual stormwater permit fee - \$860.00.

**STREET BUSINESS:** Mayor Kendall Spence stated that we have received Notice of Public Hearing from Indian Trail concerning the First Baptist Church Annexation Zoning. The Public Hearing is Tuesday, November 17, 2009.

**ECONOMIC DEVELOPMENT:** Sandy Coughlin discussed the presentation that Fireside Coffee made to the EDC and has sent Council their recommendations. The Town Center Association currently consists of Mr. Mathisen, Ms. Dee and Fireside Coffee. The association generally meets only when there is business to transact. Once the EDC receives the fence ruling from the Association, then it will be brought back up to Council. The EDC is concerned about Fireside Coffee’s sustainability. Before designated parking can be addressed, the need for designated parking should be determined. The Image Salon has also expressed interest in designated parking.

*Growing* in  
Lake Park

*Village of Lake Park  
Economic Development  
Commission Meeting*

*Meeting Minutes:*      October 22, 2009

**Location:**                *3316 Faith Church Road*

**Attendees:**              **Sandy Coughlin, Doug Lucas, Charles Williams, Sharon Williams.**

**Guests:**                 **Fireside Coffee (Michael Konarzewski, Natasha Parker)**

**Absent:**                  **Kendall Spence, Moser guests (Jameson Ellis, Van Southern)**

**OPENING :**      Sandy called meeting to order and offered the reflection.

**MINUTES :** Minutes of the September 17, 2009 EDC meeting, previously emailed, were overlooked as an agenda item; to be voted upon with October 22, 2009 minutes in November.

**BUDGET :** Business Fair Budget: Income received is \$1400, expenses projected at just over \$1300.  
Promotional mailing materials and 5 banners are paid.  
EDC Budget: 3 binder issues of the 2008 survey are just under \$80  
NCLM conference is expected to be about \$800.

**COUNCIL UPDATE :** Sandy presented comments from the 2008 EDC Survey at the October 13 Council Meeting. Fireside Coffee presented a proposal. They are attending tonight because Council referred them to the EDC to provide guidance for a more complete proposal.

**OLD BUSINESS :**

1. **Neighbor Community EDC:** Removed MCIC EDC report discussion from agenda. Copies emailed to all 5 VOLP EDC commissioners in August. Kendall views its economic issues as not helpful to us.

2. **2008 Survey Final Report:** Sandy presented the final results and analysis, delivering final binder copies to each Commissioner. She reviewed the contents, and the analysis: Importance of the small town atmosphere and landscape features is overwhelmingly supported by survey results. Criticisms and suggestions for commercial development items were strongly evident, but there is no apparent mandate for alcoholic purchases within the village. Binder copies will be given to Council by November 10. Bound questionnaires will be archived at the Village office thereafter. Natasha and Michael look forward to the online copy at [www.lakeparknc.gov](http://www.lakeparknc.gov) after the November 10 meeting.

3. **Fireside Coffee:** Natasha and Michael had emailed proposal items to EDC October 21 and all present were familiar with its drawings, estimates and comments. Sandy asked if Fireside had changed their position (stated on October 7 to her and Mayor Spence); that being that they would positively not reopen without a brown bag permit. Natasha considers the permit application to be complete and the permit is imminent. Therefore they propose some other permanent changes for Council approval.

Sandy said that Council is aware of the history of Lake Park's dry tradition and referred to the possibly surprising survey results. An impasse may arise over the wisdom and practicality of granting permission for permanent changes to owners given the chance for the permit to go either way. Michael stated that the permit is a state decision, and will override Town Center Association Covenants, Conditions & Restrictions. They want to proceed on the other items. Sandy asked them to keep in mind that the village attorney believes that as long as the Town Center CCRs do not violate state laws, NC is unlikely to override them; in which case, the state could decline the permit. The Town Center CCRs are believed to govern all deeds relative to Town Center.

After discussion, Fireside partners agreed to provide the following additions or revisions for Council review by November 4.

- a) The blueprint dimensions and the drawing dimensions must agree. Currently the blueprint indicates 8.5 feet from restaurant to fence front, and the drawing shows 7.5 feet. Fireside to correct this so both documents reflect the true fence dimensions.
- b) A copy of the page/s of the Town Center Association CCRs will be added which are specific to any allowance for exterior improvements, or offer any guidance for an exterior fence.
- c) A copy of the page/s of the CCRs will be added to show the requirements, if any, on allowing use of alcohol on the premises.
- d) A copy of Fireside's property plat map or mortgage title page will be added to show the map and the surveyor's description of Fireside's deeded ownership. Council needs this to verify public/private ownership for fence placement.
- e) For any curbside parking sign, Fireside will provide written copy of the precise wording.

Recycling: The Village does not provide commercial recycling in the current contract with Action Garbage. Adding a commercial recycle feature is not recommended within this budget year. Fireside may provide to the Village, by December 15, 2009 a realistic estimate of the volume of recyclable material that the restaurant generates, and describe the types of materials. If feasible, the Village Council could include that as an option for the waste collection companies to include in their service bids. The capabilities and costs of the bidders are determining factors when the Village chooses a contractor and the costs to commercial users are subject to change.

The VOLP Personal Property Ordinance forbids placing personal property on a sidewalk. The Council is the correct authority for reviewing Fireside's request for installing a sidewalk fence to enclose an outdoor eating area, as long as the Town Center CCRs do not disallow its installation.

Changes and structure of a 10-minute parking limit sign is clearly on public property and within Council jurisdiction. The exact wording of the sign should be in writing. The cost of the sign and installation is borne by the building owner. The signmaker's proof of the proposed sign and installation method must be pre-approved by the village clerk to ensure correct installation before the sign is made.

The commercial blade signs on Faith Church Road are private property of The Mathisen Company and owned by the Village. Fireside's blades may still be around if TMC still has them. The larger sign predates The Children's Lighthouse Learning Center and remain there by their permission. The smaller sign is placed on the private property of the Lake Park Townhome Association (at Creft Circle) with that Association's permission. These are examples of village organizations working together to support one another. Sandy expressed disappointment that Fireside wavered on participating with the Business Fair because so many of the businesses have made a commitment to it and expect to attract business together. She asked what their capacity will be. Natasha said, "42".

Sharon reminded Fireside that teamwork is critical to successful economic development in the Lake Park village. As an owner herself, she knows how much stronger a marketing impact the owners have when they work together, how frustrating it can be to try to do it individually. There is room for each unique contribution and the owners recognize those peers who are pulling with them, who are utilizing the unique character of the village, who know Lake Park and can grow successfully here. She asked if they were continuing to avoid picking an opening date, why were they teasing the community with menus. She reminded them that the Business Fair is an exceptional opportunity and is an achievement that takes cooperative effort to be successful, an opportunity that Fireside is unfortunately bypassing.

Doug asked Natasha and Michael what the "PC Donation" meant in their proposal. They explained that they have about 30 5-year-old computers they are willing to donate if the village knows of a need. They declined participation in the EDC Business Fair & Family Fun Day and exited the meeting after this discussion.

#### 5. EDC Fall Event:

- a. Participant contributions are an exceptional \$1400.
- b. The Lion Dance is on and will be included in the Press Release which will be sent to the media no later than Wed Oct 28 to Indian Trail Trader, Charlotte (Union) Observer, Enquirer Journal, and Union County Weekly
- c. Derek Nestor is the lead from Mint Hill Martial Arts for Lion Dance.
- d. Doug and Sharon will coordinate placement of the banners ~ to go up Monday 11/2. e. Marleen Traywick, Sharon and Kendall posed with banner for Charlotte Observer article to run this Sunday or next (Celeste's article).
- f. The flyers are printed and will distribute with Villager this week.
- g. Sandy will add Blood Pressure Screening and Lion Dance to flyer feature events



and email to Sharon, to Brasael for an email blast and to LPTA and Greg for websites  
Sharon will deliver balance of handbills this week.

- i. **Reminder:** + Doug place cones to close Council-approved section of Creft at 8am.  
+ ALL EDC members meet at Image at 8:30 to help vendors set up,  
Enjoy welcoming people to your exhibits, and  
Assist if needed to ensure street is cleared at 3pm

#### NEW BUSINESS :

##### 1. Commercial News:

- a. Sandy is registered for Sunday – Monday at NCLM Annual Conference 10/25-27. She confirmed topics she will be attending for us are primarily geared to small towns.
- b. Town Center Marketing: Moser representatives did not attend, no report. Sandy suggested that until the November 17 foreclosure hearing (per notice on the Town Center buildings) that BB&T does not have title. We expected Moser interest in current tenant activities however.

##### 2. Review of Fireside Proposal

Consensus of this discussion was that that the curb sign, and the fence were assets that would support Fireside without causing problems for other building tenants, even if others eventually might have similar requests. However, the brown bag concept did not resonate with the EDC.

Sandy believed that Council would weigh carefully what EDC's recommendation would be and invited open discussion. We learned that the Fireside owners went to Mr. Mathisen for help with their drawings but did not let him know about their plans for the permit. While unaware, Mr. Mathisen had gone the extra mile to phone both Kendall and Sandy to encourage support for their sign and fence plans, but he was taken aback by their news of the brown bag intentions. Mr. Mathisen then followed up to Kendall and Sandy, reversing his support of Fireside, advocating that Council write to the ABC board to resist the permit application and refuse Council support for the other requests if Fireside persists in attempting to allow alcohol. He acknowledged that there are many challenges to maintaining Lake Park's family atmosphere and people may not realize the work that goes into maintaining that treasured asset.

Doug stated that other undesirable elements creep in after an alcohol barrier is lifted. It doesn't stop there, adult video stores could seek space, and the Town Center Association CCRS need to be honored. Fireside knew the rules on alcohol when he bought the unit in the first place. Their intensity was likened to loose cannons, driving ahead without regard for the principles of the community, or the other tenants of Town Center.

Sharon believes that the brown bag concept does not fit with Lake Park and felt that Fireside went about their requests in the wrong way, without understanding why people have bought their homes here and why they value this village. Neither Charles nor Doug could see brown bag being attractive even to residents who enjoy wine, beer or other drinks. They also felt that there could be a stability issue because Michael had pressed "what if I bought the whole building?" to gain the control to achieve his goal. His being closed for over 2 years might be a stubborn wait for TMC to relinquish the building. Lastly, the capacity of 42 could be overstated. We had not asked them if the Fire Marshal verified that, but it seems unlikely.

Bottom line, the EDC recommends that Council not support the brown bag permit, but if the partners will open without it, to support their restaurant business with one curbside 10-minute parking limit (6am – 7pm) and if the CCRs and deed allow, the fence as described in their proposal. If they remain continuously in business for at least a year, the Council could consider a second 10-minute parking limit sign in the future if the need can be substantiated.

NEXT MEETING : 6:30pm Thursday, November 19: 3316 Faith Church Road (Lucas)

ADJOURNED : 8:45 pm.

The Business Fair was very successful and the Lion Dance was interesting and fun. Sandy Coughlin thanked Sharon Williams for all of her hard work. Virginia Currence asked if the fair could become an annual event. Sandy Coughlin replied that the EDC would need to make that decision.

**ABC Resolution:** In order to respond to the ABC Board, the VOLP has to pass a resolution and assign a person to address the permit request. Sandy Coughlin made the motion to designate Mayor Kendall Spence as the official to make recommendations to the ABC Board Commission. Virginia Currence seconded the motion. Vote – Unanimous.

**NORTH CAROLINA  
ALCOHOLIC BEVERAGE CONTROL COMMISSION  
(919) 779...0700**

Location: 3322 Garner Road      Mail: 4307 Mail Service Center  
Raleigh, NC 27610                      Raleigh, NC 27699-4307

RESOLUTION OF THE VILLAGE OF LAKE PARK, COUNTY OF UNION, REGARDING THE  
DESIGNATION OF AN OFFICIAL TO MAKE RECOMMENDATIONS TO THE NORTH CAROLINA  
ALCOHOLIC BEVERAGE  
CONTROL COMMISSION ON ABC PERMIT APPLICATIONS.

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WHEREAS 18B-904(f) authorizes a governing body to designate an official, by name or by position, to make recommendations concerning the suitability of persons or locations for ABC permits; and

WHEREAS the Village of Lake Park, County of Union, wishes to notify the NC ABC Commission of its designation as required by G.S.18B-904(f);

BE IT THEREFORE RESOLVED that Kendall Spence, Mayor  
(Name of Official) (Title or Position)

is hereby designated to notify the North Carolina Alcoholic Beverage Commission of the recommendations of the Village of Lake Park, County of Union, regarding the suitability of persons and locations for ABC permits within its jurisdiction.

BE IT FURTHER RESOLVED THAT notices to the Village of Lake Park, County of Union, should be mailed or delivered to the official designated above at the following address:

Mailing address:      \_\_Post Office Box 219\_\_  
Office location:      \_\_3801 Lake Park Road\_\_  
                                 \_\_Lake Park, NC 28079\_\_  
City:                      \_\_Indian Trail\_\_, NC  
Zip Code:              \_\_28079\_\_ Phone #: \_\_704-882-8657\_\_

This is the \_\_\_10\_\_\_ day of \_November\_\_\_\_\_, 2009\_.

\_\_\_\_\_  
(Mayor/Chariman)

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Clerk

**CLOSED SESSION:** Sandy Coughlin made the motion that Council go into closed session to discuss legal issues with our attorney. Greg Crosby seconded the motion. Vote – Unanimous. The Council received legal advice concerning Encroachment of Public Property, ABC Permit and Cypress Homes.

Sandy Coughlin made the motion to go back into Regular Session. Clint Newton seconded the motion. Vote – Unanimous. No action was taken during closed session.

**REGULAR SESSION:** Sandy Coughlin made the motion to have the designated official deny Fireside Coffee's request for a Brown Bag Permit. Clint Newton seconded the motion. Vote – Unanimous. Sandy Coughlin and Mayor Kendall Spence will work with staff to prepare the response to the ABC Commission.

**COUNCIL COMMENTS:**

Jo Waybright would like Council to consider restriping Faith Church Road before the work is completed at the intersection of Faith Church and Unionville/Indian Trail Road.

Clint Newton thanked everyone for the opportunity to serve on the Village Council.

Greg Crosby asked Attorney Ken Swain about zoning and how do we go about determining the amount of zoning that we require. Attorney Ken Swain suggested that a committee be formed to determine our needs and what we want to accomplish by taking over VOLP zoning authority from the county. Greg would also like to see us look into a part time maintenance/handyman.

Sandy Coughlin will have the EDC surveys next month for Council. She would also like to encourage elective officials that have not taken the Council workshop to do so.

Mayor Kendall Spence thanked Clint Newton for his commitment to the village.

**ADJOURN:** Sandy Coughlin made a motion to adjourn the meeting. Greg Crosby seconded the motion. Vote – Unanimous.

Respectfully submitted,

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Mayor Kendall Spence

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Village Clerk, Cheri Clark